12. Service Provisions

In This Guideline:

A. Takeaway

This policy guideline addresses the ways in which records pertaining to a tenancy or a dispute resolution proceeding are required or permitted to be given or served on a party (established by the *Residential Tenancy Act*, the *Manufactured Home Park Tenancy Act*, and their respective regulations.

Records include the tenancy agreement, notices, applications for dispute resolution, decisions, orders, summons to testify, and evidence. The Residential Tenancy Branch also has Rules of Procedure that govern serving the application for dispute resolution proceedings and submitting and exchanging evidence. Refer to Rule 3 for more information.

B. Related Guidelines

Policy Guideline 43: Naming Parties

C. Legislative Framework

The following sections describe service provisions.

Residential Tenancy Act (RTA)	*Manufactured Home Park Tenancy Act* (MHPTA)
• section 88 to 90	• section 81 to 83

The purpose of serving records under the Legislation is to notify the parties named in the dispute of matters relating to the Legislation, the tenancy agreement, a

dispute resolution proceeding, or a review. Another purpose of providing the records is to allow the other party to prepare their response for the hearing and gather records they may need to serve and submit as evidence in support of their position.

Important: all parties named on an application for dispute resolution must receive notice of the proceedings. Where more than one party is named on an application, each party must be served separately. Failure to serve records in a way recognized by the Legislation may result in the hearing being adjourned, dismissed with leave to reapply, or dismissed without leave to reapply. Failure to serve evidence properly may result in that evidence not being considered and the hearing continuing as scheduled, or the hearing being adjourned. See “Parties not served” in section S below.

D. Address for Service

Any applicant for dispute resolution must provide an address for service. This could be a home, business or other address that is regularly monitored.

The respondent’s address may be found on the tenancy agreement, in a notice of forwarding address, in any change of address record or in an application for dispute resolution.

When a party cannot be served by any of the methods permitted under the Legislation, the Residential Tenancy Branch may order a substituted form of service (see “Orders for substituted service” in section Q below).

At any time, a tenant or landlord may provide an email address for service purposes. By providing an email address, the person agrees that important records pertaining to their tenancy may be served on them by email. A person who does not regularly check their email should not provide an email address to the other party for service purposes.

A tenant or landlord must provide to the other party, in writing, the email address to be used. There is no prescribed form for doing so, but parties may want to use RTB-51 -“Address for Service” form and provide it to the other party.

If there has been a history of communication between parties by email, but a party has not specifically provided an email address for service purposes, it is not advisable to use email as a service method. If no other method of service is successful, a party may apply for a substituted service order (RTB-13 - Application for

Substituted Service), asking for an order allowing service by email, and provide evidence of a history of communication between the parties at that email address. Parties may face delays or risk their application being dismissed if service is not effected in accordance with the legislation.

If an email address given for the purposes of serving records changes at any time, the onus is on the party to ensure an updated address is provided to the other party, or that the other party is advised that it is no longer acceptable to serve records at the email address provided. If such notice is received, email service is no longer a method of service available to serve records and another method of service set out in the legislation must be used instead.

E. Records that Must be Served Within Certain Time Periods

Some records must be served within certain time periods as outlined in the Legislation or the Dispute Resolution Rules of Procedure. See Table 1: Service Timelines for Special Records.

F. Special Requirements for Service of Records for: an application for dispute resolution (except for applications by a landlord for an order of possession or an order ending a tenancy early) and a Residential Tenancy Branch decision to proceed with a review of a decision

See section G for service requirements for applications by a landlord for an order of possession or an order ending a tenancy early.

All parties named on an application for dispute resolution must be served notice of proceedings, including any supporting records submitted with the application. Where more than one party is named on an application for dispute resolution, each party must be served separately. Failure to serve records in a way recognized by the Legislation may result in the application being adjourned, dismissed with leave to reapply, or dismissed without leave to reapply.

Under section 89 (1) of the RTA, section 82 (1) of the MHPTA, section 43 of the Residential Tenancy Regulation (RTR) and section 59 of the Manufactured Home Park Tenancy Regulation (MHPTR), there are only four methods of service that may be used for these matters. These are:

1. Personal Service

- Where a tenant is personally serving a landlord, the tenant must serve a

record by leaving a copy of it with the landlord or an agent of the landlord.

- Where a landlord is personally serving a tenant, the landlord must serve by leaving a copy with the tenant. In cases where there are multiple tenants, the landlord must serve a copy to each co-tenant separately.

This requires physically handing a copy of the record to the person being served. If the person declines to take the record, it may be left near the person so long as the person serving informs the person being served of the nature of the record being left near them.

2. Registered Mail

- Where a tenant is serving a landlord by Registered Mail, the address for service must be where the landlord resides at the time of mailing or the address at which the landlord carries on business as a landlord. See "Service of records on an incorporated company or society" in section I below or "Serving records at the address at which the landlord carries on business as a landlord" in section J below.
- Where a landlord is serving a tenant by Registered Mail, the address for service must be where the tenant resides at the time of mailing, or the forwarding address provided by the tenant.

Registered Mail includes any method of mail delivery provided by Canada Post for which confirmation of delivery to a named person is available. This includes Express post, if the signature option is used. Parties using Registered Mail or Express Post should obtain a copy of the proof of delivery from Canada Post and submit that record as proof of service. This can be obtained from Canada Post's website. A screen shot or picture of the information is sufficient.

3. Email Service

- To serve records by email, the party being served must have provided an email address specifically for the purposes of being served records. If there is any doubt about whether an email address has been given for the purposes of giving or serving records, an alternate form of service should be used, or an order for substituted service obtained.

4. A Residential Tenancy Branch Order Regarding Service

- See "Orders for substituted service" in section P below and "Proof of service" in section Q below.

G. Special Requirements for Service of Records for: an application by a landlord for an order of possession and an application by a landlord for an order ending tenancy early

All parties named on an application for dispute resolution must be served separate notice of proceedings, including any supporting records submitted with the application, as per section 89(2) of the RTA, section 82(2) of the MHPTA, section 43 of the RTR, and section 59 of the MHPTR. Failure to serve records in a way recognized by the Legislation may result in the application being adjourned, dismissed with leave to reapply, or dismissed without leave to reapply. Failure to serve evidence properly may result in that evidence not being considered and the hearing proceeding, or the hearing being adjourned (see also "Parties not served" in section R below).

There are only five methods of service that may be used for these matters. These are:

1. Personal Service

- Where a landlord is personally serving a tenant, the landlord must leave a copy with the tenant, or by leaving a copy at the tenant's residence with an adult who apparently resides with the tenant. The landlord must leave a copy for each co-tenant.

This requires actually handing a copy of the record to the person being served. If the person declines to take a copy of the record, it may be left near the person so long as the person serving informs the person being served of the nature of the record being left near them.

2. Registered Mail

- Where a landlord is serving a tenant by Registered Mail, the address for service must be where the tenant resides at the time of mailing.

Registered Mail includes any method of mail delivery provided by Canada Post for which confirmation of delivery to a named person is available.

3. Posting

- By attaching a copy to a door or other conspicuous place at the address at which the tenant resides. A conspicuous place is one that is clearly visible and likely to attract notice or attention. Placing a copy of the record under the door

is not recognized by the Legislation.

4. Email

- In order to serve records by email, the party being served must have provided an email address specifically for service purposes. If there is any doubt about whether an email address has been given for service purposes, an alternate method of service should be used.

5. A Residential Tenancy Branch Order Regarding Service

- See "Orders for substituted service" in section P below and "Proof of service" in section Q below.

H. Service of Records Generally

The Legislation provides a number of service methods which may be used where a landlord or tenant is serving records which are not considered to be special records (as identified in "Special requirements for service of records" in sections F and G above). These records may include, but are not limited to notices of rent increase, notices to enter, notices terminating or restricting services, copies of tenancy agreements, condition inspection reports, requests for repairs or notice of a tenant's forwarding address in writing.

Failure to serve records in a way recognized by the Legislation may result in the director determining that the party was not properly served with the record.

The date on which records served are deemed to have been received differs depending on the method of service used. This should be taken into account when determining which method of service to use. For example, a landlord providing notice to enter a rental unit or manufactured home site must consider that notice served by posting on the door is not deemed to have been received until three days after posting it. Section 29 of the RTA and section 29 of the MHPTA require 24 hours' notice of entry, the landlord must serve a notice at least four days prior to entry. For more information, see "Deemed receipt" in section N below.

Under section 88 of the RTA and section 81 of the MHPTA, the methods permitted for service of records generally are:

By personally leaving a copy of the record with the person to be served

- Where a tenant is personally serving a landlord, the tenant must actually hand a copy of the record to the landlord or an agent of the landlord.

- Where a landlord is personally serving a tenant, the landlord must actually hand a copy of the record to the tenant. If the person declines to take a copy of the record, it may be left near the person so long as the person serving informs the person being served of the nature of the record being left near them.
- Records can be personally served anywhere the party serving the record has legal access to, e.g. on a public street, in a restaurant or other facility open to the public.

By personally serving an agent of the landlord

- The tenant should check the tenancy agreement for the name and address of the landlord's agent that is authorized to act on behalf of the landlord. The landlord's agent may be an individual, a firm, such as a sole proprietorship or a partnership, or an incorporated company or society. Before leaving a record with an agent, it may be advisable to make sure that the agent is in fact the landlord's agent and obtain the name of the person accepting the record.

By sending a copy of the record by ordinary mail or Registered Mail to the address at which the person to be served resides at the time of mailing

- Registered Mail includes any method of mail delivery provided by Canada Post for which confirmation of delivery to a named person is available. This includes Express Post, if the signature option is used. If Registered Mail or Express Post is used, a record of the mail being sent and received can be obtained, which is not available with ordinary mail.

If serving a landlord, by sending a copy of the record by ordinary mail or Registered Mail to the address at which the person carries on business as a landlord

- See "Service of records on an incorporated company or society" in section I below or "Serving records at the address at which the landlord carries on business as a landlord" in section J below.

If serving a tenant, by sending a copy by ordinary mail or Registered Mail to a forwarding address provided by the tenant

- Registered Mail includes any method of mail delivery provided by Canada Post for which confirmation of delivery to a named person is available. This includes Express Post, if the signature option is used. If Registered Mail or Express Post is used, a record of the mail being sent and received can be obtained from

Canada Post's website. This is not available for ordinary mail.

By leaving a copy of the record at the person's residence with an adult person who apparently resides with the person to be served

- A person may be considered to apparently reside with someone, if, from what can be seen, observed, or is evident from all of the circumstances known to the person serving the record, the person appears to reside with the person to be served. An adult is a person who has reached the age of nineteen (per section 1(2) of the *Age of Majority Act)*.

By leaving a copy of the record in a mailbox or mail slot for the address where the person to be served resides at the time of service

- If this method of service is used, the person leaving the record needs to determine that the mailbox or mail slot belongs to the person to be served, particularly in a multi-unit building, such as an apartment, condo, or office building.

By leaving a copy of the record in a mailbox or mail slot for the address where the person to be served carries on business as a landlord.

- If this method of service is used, the person leaving the record needs to determine that the mailbox or mail slot belongs to the address at which the landlord carries on business as a landlord, particularly in a multi-unit building, such as an apartment, condo, or office building.
- See "Service of records on an incorporated company or society" in section I below or "Serving records at the address at which the landlord carries on business as a landlord" in section J below.

By attaching a copy of the record to a door or other conspicuous place at the address where the person to be served resides at the time of service

- If this method is used, the person attaching the record should make sure that the door or conspicuous place belongs to the person's residence, and that the record will be readily seen by the person entering or leaving the residence.
- A conspicuous place is one that is clearly visible and likely to attract notice or attention. Placing a copy of the record under the door is not recognized by the Legislation.

By attaching a copy of the record to a door or other conspicuous place at the address at which the landlord carries on business as a landlord

- If this method is used, the person attaching the record should make sure that the door or conspicuous place belongs to the address where the person carries on business as a landlord, and that the record will be readily seen by the person entering or leaving the place of business.
- A conspicuous place is one that is clearly visible and likely to attract notice or attention. Placing a copy of the record under the door is not recognized by the Legislation.
- See "Service of records on an incorporated company or society" in section I below or "Serving records at the address at which the landlord carries on business as a landlord" in section J below.

By transmitting a copy of the record to the fax number provided as an address for service by the person to be served

- If no fax number for service has been provided, then this method of service may not be used. If this method of service is used, then the person serving the record will need to provide proof that the record transmitted by fax was sent to the fax number provided by the other party, and that the transmission of all pages was completed. A fax transmission report may provide this information and may be used to provide confirmation of service.

As ordered by a Residential Tenancy Branch Order Regarding Service

- See "Orders for substituted service" in section P below and "Proof of service" in section Q below.

By any other means of service prescribed in the regulations

- The Regulation to the *Residential Tenancy Act* and the *Manufactured Home Park Tenancy Act* prescribes service to an email address provided for service as an acceptable method of serving records. Records may be served by sending a copy of the record to the email address provided as an address for service by the person to be served. If no email address for service has been provided, then this method of service should not be used. Parties may face delays or risk their application being dismissed if service is not effected in accordance with the legislation.
- If service by email is used, the person serving the record will need to provide proof that the record sent by email was sent to the email address provided by the other party. Satisfactory proof may include a print out or screen shot of:
    - RTB 51 – Address for Service or other record that sets out the

party's email address for service;
- the sent item, including the email address the item was sent to;
- a confirmation of delivery receipt;
- a response to the email by the party served;
- a read receipt confirming the email was opened; or
- other documentation to confirm the party has been served.

I. Service of Records on an Incorporated Company or Society

Service on a landlord that is an incorporated company or society should be made by serving a copy at the place where the landlord conducts business as a landlord, as provided in the Legislation.

Special attention should be paid to the fact that tenancy legislation service requirements differ from provisions in the *Business Corporations Act* or the *Society Act*. The registered office of a landlord that is an incorporated company or a society, such as a lawyer's office or accountant's office, may not necessarily be the address at which the landlord carries on business as a landlord. When these are different, service on the registered office may not be adequate service for the purposes of the Legislation.

See "Serving records at the address at which the landlord carries on business as a landlord" in section J below.

J. Serving Records at the Address at which the Landlord Carries on Business as a Landlord

Section 88 of the RTA and section 81 of the MHPTA permits a tenant to serve a record on a landlord at the address at which the landlord carries on business as a landlord, in one of the following ways:

- by mail;
- by leaving a copy of the record in a mailbox or mail slot;
- by attaching a copy of the record to a door or other conspicuous place. A conspicuous place is one that is clearly visible and likely to attract notice or attention. Placing a copy of the record under the door is not recognized by the Legislation; or
- by leaving a copy of the record with an agent of the landlord.

If a tenant intends to serve a record on the landlord in one of the above ways at the address at which he or she carries on business as a landlord, the tenant will need to determine the address at which the landlord carries on business as a landlord before serving. Such an address may include the following:

- The address of the landlord as set out in the written tenancy agreement.
- The address of the landlord's office or the landlord's manager's suite in an apartment or condominium building. Service on the strata corporation's office or strata corporation manager's suite may not be effective, unless the strata corporation is also the landlord.
- The address where the landlord resides.
- A separate address where the landlord operates his or her business as landlord, such as an office in an office building or in a storefront operation, whether he or she carries on his or her business as landlord as the only business in the premises, or whether he or she carries on business as a landlord in conjunction with any other business of his or hers in premises shared with another business owned or operated by the landlord, or by someone else.
- A post office box where it is set out in the tenancy agreement as the address of the landlord, or it is the address where the landlord receives mail and notices, or is specified by the landlord to be his or her address for receiving mail or notices.

A landlord may operate a business as a landlord from one location and operate another business from a different location. The Legislation does not permit a tenant to serve a landlord in one of the ways set out above at the address where the landlord carries on that other business unless the landlord also carries on his or her business as a landlord at that same address.

If the landlord disputes that he or she has been served in one of the permitted ways at the address where he or she carries on business as a landlord, or if the landlord does not attend the hearing, the tenant will have to provide sufficient evidence to the Arbitrator to prove that the address used is in fact the address at which the landlord carries on business as a landlord.

K. Service of Records on Persons Under Age 19

Service of a record on a person who is under the age of 19 years and has entered into a tenancy agreement is to be effected in one of the ways required or permitted

under the Legislation.

L. Service of Records on Incompetent Persons

Service of records on an incompetent person, that is, a person who is incapable by reason of age, illness, or mental infirmity of managing himself or herself or his or her affairs, is to be effected by serving a copy of the record in one of the ways required or permitted under the Legislation:

- on the person's Committee appointed under the *Patients Property Act*, or
- on the person's representative appointed under the *Representation Agreement Act*, or
- where there is no Committee, or representative,
    - on the person with whom he or she resides or in whose care he or she is or with the person appointed by a court to be served in the incompetent person's place, and
    - on the Public Guardian and Trustee.

Important Considerations

Even though a hospital or care facility may acknowledge receipt of records on behalf of incapable adults in their care, the person leaving the records with a nurse, administrator, or other person at a hospital or care facility should not assume that the person acknowledging receipt of the records has accepted service of the records unless that person advises that he or she has authority to accept service on behalf of the incapable adult.

When the Public Guardian and Trustee is served records on behalf of an incapable adult, the Public Guardian and Trustee will accept service on behalf of the Public Guardian and Trustee only, not on behalf of the adult. In other words, the Public Guardian and Trustee simply acknowledges receipt of the records served. This arrangement allows the person serving the records to comply with the statutory requirements for service, but does not compel the Public Guardian and Trustee to appear for, or to take further steps on behalf of, the incapable adult. The Public Guardian and Trustee will investigate the incapable adult's circumstances, and where appropriate, may seek authority to act on the adult's behalf. The Public Guardian and Trustee will not, however, automatically act on behalf of the incapable adult.

M. Service of Records on a Deceased Person

Where a party to an application for dispute resolution is deceased, the personal representative of the deceased's estate should be named. If the deceased is a respondent to an application, the personal representative should be named and served. If the applicant does not know the name of the deceased's personal representative at the time of filing an application for dispute resolution, the deceased's name can be filled in on the application (e.g. John Doe, deceased). At the hearing, the arbitrator may amend the application to reflect the proper name of the estate.

The personal representative may be the person named as executor in the deceased's will, or the person who has been approved by the court to administer the estate by way of an estate grant.

See also *Policy Guideline 43: Naming Parties*

N. Deemed Receipt

Section 90 of the RTA, section 83 of the MHPTA, section 44 of the RTR, and section 60 of the MHPTR sets out when records that are not personally served are considered to have been received. Unless there is evidence to the contrary, a record is considered or 'deemed' received:

- if given or served by mail (ordinary or Registered Mail/Express Post with signature option), on the fifth day after mailing it;
- if given or served by fax, on the third day after faxing it;
- if given or served by email, on the third day after emailing it;
- if given or served by attaching a copy of the record to a door or other conspicuous place, on the third day after attaching it; and
- if given or served by leaving a copy of the record in a mailbox or mail slot, on the third day after leaving it.

Deemed receipt applies to all types of records not personally served.

Deemed receipt provisions are generally used in the absence of evidence of the date records were actually received, such as when a respondent has not filed a dispute or appeared at a dispute resolution hearing. The provisions are also used to calculate timelines for future events, such as when notice of hearing packages must be served in order to ensure the respondent has the required amount of notice of the hearing.

See section H above for an example of using deemed receipt provisions to allow for sufficient notice of entry to a rental unit.

The deemed receipt provisions do not give parties additional time to file a response.

O. Service of Records and Time to Respond

Generally, the objective of service of records is to give notice to the person who has been served that an action has been or will be taken against them. There is substantial case law that has held that the purpose of service is fulfilled once notice has been received (*Tschurtschenthaler v Sunlogics Inc*., 2013 BCSC 1197).

Deeming provisions should not be relied on to calculate time to respond to service of a record. The date a person receives records is what is used to calculate time. The Legislation contains provisions for the time frames within which a person must act upon having received records. For example, s. 47 allows a landlord to end a tenancy by giving notice to the tenant. S. 47 (4) states that a tenant may dispute the notice by making an application for dispute resolution within 10 days after the date the tenant **receives** the notice. Therefore, a tenant must file their application for dispute resolution within 10 days of receipt of the notice.

At the dispute resolution hearing, if service or the time frame for having responded is in dispute, an arbitrator may consider evidence from both the party receiving the record and the party serving the record to determine the date of service and the calculation of time a respondent had for responding. S. 71 (2)(b) gives an arbitrator the authority to order that a record has been sufficiently served for the purposes of the Act on a date the arbitrator specifies, upon consideration of procedural fairness and prejudice to the affected party.

For example, an arbitrator may consider evidence from the party serving the records that proves the date of service (such as an email from the party served with the records referring to the material that was served or a registered mail tracking record confirming delivery on a specified date). The arbitrator may then determine that the date of service is the date the evidence proves service (e.g., the email or tracking record dated April 11th) and is earlier than the deeming provisions (e.g., records deemed received on April 14th). An arbitrator may also consider an acknowledgement of service by the party receiving the records; the arbitrator may then determine that the date of service is the date the party acknowledges receipt of service and is earlier than the deeming provisions.

Where a record is served by Registered Mail or Express Post, with signature option, the refusal of the party to accept or pick up the item, does not override the deeming provision. Where the Registered Mail or Express Post, with signature option, is refused or deliberately not picked up, receipt continues to be deemed to have occurred on the fifth day after mailing.

In the event of disagreement between the parties about the date a record was served and the date it was received, an arbitrator may hear evidence from both parties and make a finding of when service was effected.

The Supreme Court of British Columbia has determined that the deeming presumptions can be rebutted if fairness requires that that be done (*Atchison v. British Columbia, [2008] B.C.J. No. 1448*.) For example, the Supreme Court found in *Hughes v. Pavlovic*, 2011 BCSC 990 that the deeming provisions ought not to apply in that case because Canada Post was on strike, therefore unable to deliver Registered Mail.

A party wishing to rebut a deemed receipt presumption should provide to the arbitrator clear evidence that the record was not received or evidence of the actual date the record was received. For example, if a party claimed to be away on vacation at the time of service, the arbitrator would expect to see evidence to prove that claim, such as airplane tickets, accommodation receipts or a travel itinerary. It is for the arbitrator to decide whether the record has been sufficiently served, and the date on which it was served.

The decision whether to make an order that a record has been sufficiently served in accordance with section 71(2)(b) of the RTA and section 64(2)(b) of the MHPTA or that a record not served in accordance with the Legislation is sufficiently given or served for the purposes of the section 71(2)(c) of the RTA and section 64(2)(c) of the MHPTA is a decision for the arbitrator to make on the basis of all the evidence before them.

1. Time Limit to Serve Notice of Dispute Resolution Proceeding Package

Section 59(3) of the RTA, section 52(3) of the MHPTA, and Rule 3.1 state that a person who applies for dispute resolution must give a copy of the Notice of Dispute Resolution Proceeding Package (“Notice Package”) to the other party within 3 days of the Notice being made available by the Residential Tenancy Branch, or within a different period specified by the director.

As noted in Section 12 of this Policy Guideline, the objective of serving records is to give notice to the person who has been served that an action has been or will be taken against them. An applicant failing to serve the Notice Package within 3 days of it being made available does not necessarily mean that the respondent was not made aware of the action being taken against them and that they did not have sufficient time to respond to the matters of dispute. Instead, section 66(1) of the RTA and section 59(1) of the MHPTA give arbitrators the authority to extend the time limit to serve the Notice Package if they find that the Package was sufficiently served for the purposes of the Act on a later date.

For example, say a Notice of Dispute Resolution Proceeding was made available on January 1 and the hearing is on June 1, and the applicant served the Notice Package on the respondent on January 15. Even though the applicant did not serve the Notice Package within 3 days, an arbitrator may find that it was served with enough time for the respondent to understand and respond to the claims made against them. An arbitrator will consider the principles of procedural fairness when deciding whether to extend the time limit. If a respondent feels that they were not provided sufficient notice, they should raise these concerns with the arbitrator at their hearing.

P. Residential Tenancy Branch Orders Regarding Service

Section 71 of the RTA and section 64 of the MHPTA provide that the Residential Tenancy Branch may make the following orders:

- That a notice, order, process or other record may be served by substituted service in accordance with the order.
- Where a record has not as yet been served, that a record must be served in a manner the Residential Tenancy Branch considers necessary, despite the other service provisions of the Legislation.
- Where a record has been served, that a record has been sufficiently served for the purposes of the Legislation on a day the director specifies.
- That a record not served in accordance with the service sections of the Legislation has been sufficiently given or served for the purposes of the Legislation.

1. Standing Director's Order on Service for Additional Rent Increase for Capital Expenditure Applications

On February 17, 2023, the director of the RTB issued a standing order allowing

landlords to serve the application for an additional rent increase for capital expenditures by attaching a copy to the door or other conspicuous place at the address at which the tenant resides.

Q. Orders for Substituted Service

An application for substituted service (section 71(2)(c) of the RTA and section 64(2)(c) of the MHPTA) may be made at the time of filing the application for dispute resolution or at a time after filing. The party applying for substituted service must be able to demonstrate two things:

- that the party to be served cannot be served by any of the methods permitted under the Legislation, and
- that there is a reasonable expectation that the party being served will receive the records by the method requested.

R. Proof of Service

Where the respondent does not appear at a dispute resolution hearing, the applicant must be prepared to prove service of the notice of hearing package. Proof of service of other records may be submitted in support of claims for dispute resolution in accordance with the Rules of Procedure.

Where proof of service is required, the person who actually served the records must either:

- be available as a witness in the hearing to prove service, or
- provide a signed statement with the details of how the records were served.

Proof of service personally should include the date and time of service, the location where service occurred, description of what was served, the name of the person who was served, and the name of the person who served the records.

Proof of service by Registered Mail or Express Post with signature option should include the original Canada Post Registered Mail/Express Post receipt containing the date of service, the address of service, and that the address of service was the person's residence at the time of service, or the landlord's place of conducting business as a landlord at the time of service as well as a copy of the printed tracking report.

Proof of service personally on an adult who apparently residents with the tenant

should include:

- either an acknowledgment of the date and time of service, the location where service occurred, description of what was served, the name of the person who was served, and the name of the person who served the records as well as confirmation that the person is an adult; or,
- witness confirmation of service on the adult including date and time of service, the location where service occurred, description of what was served, the name of the person who was served, and the name of the person who served as well as a description of how the witness knows the person served is an adult who apparently resides with the tenant.

Failure to prove service may result in the matter being dismissed, with or without leave to reapply. Adjournments to prove service are given only in unusual circumstances.

Proof of service by methods other than personal service or Registered Mail/Express Post with signature option should include:

- the date and time of service,
- details of the method used to serve, including:
    - the name of the adult served,
    - if posted, the address where the records were attached,
    - the fax number to which the record was faxed and proof that the fax transmission was completed,
    - the email address to which the record was emailed and proof that the email was sent,
    - the address of the mailbox or mail slot used,
    - who effected service

A photograph of a posted or deposited record in its posted or deposited location may reinforce the veracity of service. A screenshot or photo of a sent email that shows the email address the record was sent to, as well as the date and time sent may be used as evidence of service.

S. Parties not Served

Where one or more parties on an application for dispute resolution have not been

served, the Arbitrator's decision or order will indicate this. The matter may proceed, be adjourned, dismissed with or without leave to reapply.

T. Policy Guideline Intention

The Residential Tenancy Branch issues policy guidelines to help Residential Tenancy Branch staff and the public in addressing issues and resolving disputes under the *Residential Tenancy Act* and the *Manufactured Home Park Tenancy Act*. This policy guideline may be revised and new guidelines issued from time to time.

U. Changes to Policy Guideline

Section	Change	Notes	Date Guideline Changed
5	am	Removed reference to service on multiple tenants and multiple landlords	2016-03-24
10	am	Clarified responsibility for serving documents on a deceased person	2016-03-24
11	am	Clarified content around deeming provisions	2016-03-24
12	New	Added content to clarify time lines around serving and responding to documents	2016-03-24
Table 1	am	Revised to reflect October 26, 2015 Dispute Resolution Rules of Procedure	2016-03-24
Table 1	am	Addresses regulatory amendment	2016-12-05
Table 1	am	Revised to reflect RTA changes to ending tenancy for landlord's use (RTA s. 49)	2018-05-17

Table 1	am	Revised to reflect MHPTA changes to ending tenancy for landlord's use and tenant's notice to end early (MHPTA s. 42 and 43(1))	2018-06-06
3, 5, 12,15	am	Updated to reflect Express Post with signature option is considered registered mail	2021-03-01
1, 3, 4, 5,11,15	am	Revised to reflect regulatory amendment allowing email service	2021-03-01
Table 1	am	Updated to reference household violence	2021-03-01
O	am	Corrected typo ("Object" to "Objective")	2023-02-17
O.1	new	Added content on director's authority to extend time limit to serve Notice of Proceeding	2023-02-17
P	am	Updated to reference standing director's order on service for ARI-C applications	2023-02-17
Table 1	am	Updated to include service timelines for evidence related to an ARI-C application	2023-02-17
All	Am	Updated to new template	2023-11-30
All	Am	Updated to reflect amendments replacing "document" with "record"	2023-11-30
Table 1	am	Updated to reflect amendment clarifying that if more than one	2023-11-30

		review period applies, the application must be made within the shortest period that applies	
Table 1	am	Updated to reflect increased notice and dispute periods for landlord's use notices to end tenancy for personal occupancy	2024-07-18
Table 1	am	Updated to reflect new notice and dispute periods for notices to end tenancy for purchaser's use	2024-08-21

Change notations
am = text amended or changed
del = text deleted
new = new section added

TABLE 1: Service Timelines For Special Records

Note: special attention must be paid to the date a record must be received. The day that a record is served and the day that is received may differ based on when records are considered to have been received in the Legislation (section 90 of the RTA; section 83 of the MHPTA).

This table is provided for convenience only. Where the Act and this table differ, the Act prevails.

Notices to end tenancy

	Service timeline	Act
Tenant's notice (periodic tenancy)	**Tenant to landlord** A tenant may end a periodic tenancy by giving the landlord notice to end the tenancy effective on a date that (a) is **not earlier than one month** after the date the landlord receives the notice, and (b) is **the day before the day in the month**, or in the other period on which the tenancy is based, **that rent is payable** under the tenancy agreement.	*RTA* 45(1); *MHPTA* 38(1)
Tenant's notice (fixed term tenancy)	**Tenant to landlord** A tenant may end a fixed term tenancy by giving the landlord notice to end the tenancy effective on a date that (1) is **not earlier than one** month after the date the landlord receives notice (2) is **not earlier than the date specified in the tenancy agreement** as the end of the tenancy, and (3) is **the day before the day in the month**, or in the other period on which the tenancy is based, **that rent is payable** under the tenancy agreement.	*RTA* 45(2); *MHPTA* 38(2)
Tenant's notice (family /household violence or long-term care)	**Tenant to landlord** (a) A tenant may end a fixed term tenancy by giving the landlord notice to end the tenancy effective on a date that is **not earlier than one month** after the date the landlord receives the notice, and (b) is **the day before the day in the month**, or in the other period on which the tenancy is based, **that**	*RTA* 45.1

	Service timeline	Act
	rent is payable under the tenancy agreement. **This notice must be accompanied by a confirmation of eligibility statement**	
Tenant's notice (failure to comply with a material term) *RTA* only	**Tenant to landlord** If a landlord has failed to comply with a material term of the tenancy agreement or, in relation to an assisted or supported living tenancy, of the service agreement, and has not corrected the situation within a reasonable period after the tenant gives written notice of the failure, the tenant may end the tenancy effective **on a date that is after the date the landlord receives notice**.	*RTA* 45(3)
Tenant's notice (failure to comply with a material term) *MHPTA* only	**Tenant to landlord** If a landlord has failed to comply with a material term of the tenancy agreement and has not corrected the situation within a reasonable period after the tenant gives written notice of the failure, the tenant may end the tenancy effective **on a date that is after the date the landlord receives notice**.	*MHPTA* 38(3)
Landlord's notice: non-payment of rent	**Landlord to tenant** (1) A landlord may end a tenancy if rent is unpaid on any day after the day it is due, by giving notice to end the tenancy effective on a date that is **not earlier than 10 days after the date the tenant receives the notice**. **Tenant dispute of landlord's notice** (4) **Within 5 days after receiving a notice** under this section, a tenant may (a) pay the overdue rent, in which case the notice has no effect, or (b) dispute the notice by making an application for dispute resolution.	*RTA* 46; *MHPTA* 39
Landlord's notice: cause	**Landlord to tenant** A notice under this section must end the tenancy effective on a date that is (a) **not earlier than one month after the date the notice is received**, and (b) **the day before the day in the month**, or in the	*RTA* 47(2); *MHPTA* 40(2)

	Service timeline	Act
	other period on which the tenancy is based, **that rent is payable** under the tenancy agreement.	
Landlord's notice: end of employment with the landlord	**Landlord to tenant** A notice under this section must end the tenancy effective on a date that is (a) **not earlier than one month after the date the tenant receives the notice**, (b) **not earlier than the last day the tenant is employed by the landlord**, and (c) **the day before the day in the month**, or in the other period on which the tenancy is based, **that rent, if any, is payable** under the tenancy agreement.	*RTA* 48(3); *MHPTA* 41(3)
Landlord's notice: landlord's use of property *Residential Tenancy Act* only	**Landlord to tenant** (2) Subject to section 51 *[tenant's compensation: section 49 notice]* and any prescribed conditions, restrictions, or prohibitions, a landlord may end a tenancy for a purpose referred to in subsection (3), (4) or (5) by giving notice to end the tenancy effective on a date that must be (a) **not earlier than, as applicable,** (i) if a period is not prescribed under subparagraph (ii), **4 months after the date the tenant receives the notice, or** (ii) if a prescribed period after the date the tenant receives the notice, which prescribed period must not be earlier than 2 months after the date the tenant receives the notice. (b) the day before the day in the month, or in the other period on which the tenancy is based, that rent is payable under the tenancy agreement, and (c) if the tenancy agreement is a fixed term tenancy agreement, **not earlier than the**	*RTA* 49(3) 49(4)

	Service timeline	Act
	date specified as the end of the tenancy. **Tenant dispute of landlord's notice** (8) A tenant may dispute a notice given under this section by making an application for dispute resolution within the following period, as applicable (a) if a period is not prescribed under paragraph (b), **30 days** after the date the tenant receives the notice; (b) a prescribed period after the date the tenant receives the notice, which prescribed period must not be earlier than 15 days after the date the tenant receives the notice.	
Landlord's notice: purchaser's use of property *Residential Tenancy Act* only	**Landlord to tenant** (2) Subject to section 51 *[tenant's compensation: section 49 notice]* and any prescribed conditions, restrictions, or prohibitions, a landlord may end a tenancy for a purpose referred to in subsection (3), (4) or (5) by giving notice to end the tenancy effective on a date that must be a. **not earlier than…** ii. if a prescribed period after the date the tenant receives the notice, which prescribed period must not be earlier than 2 months after the date the tenant receives the notice. b. the day before the day in the month, or in the other period on which the tenancy is based, that rent is payable under the tenancy agreement, and c. if the tenancy agreement is a fixed term tenancy agreement, **not earlier than the date specified as the end of the tenancy.** *Residential Tenancy Regulation,* section 42.2 For the purposes of section 49 (2) (a) (ii) of the Act, if a	*RTA* 49(5)

	Service timeline	Act
	landlord gives notice to end a tenancy for a purpose referred to in section 49 (5) of the Act, **the prescribed notice period is 3 months after the date the tenant receives the notice.** **Tenant dispute of landlord's notice** (8) A tenant may dispute a notice given under this section by making an application for dispute resolution within the following period… (b) a prescribed period after the date the tenant receives the notice, which prescribed period must not be earlier than 15 days after the date the tenant receives the notice. *Residential Tenancy Regulation*, section 42.3 For the purposes of section 49 (8) (b) of the Act, if a landlord gives notice to end a tenancy for a purpose referred to in section 49 (5) of the Act, **the prescribed dispute period is 21 days after the date the tenant receives the notice.**	
Landlord's notice: landlord's use of property (for demolition, conversion) *Residential Tenancy Act* only	**Landlord to tenant** (2) Subject to section 51 [tenant's compensation: section 49 notice], a landlord may end a tenancy (a) for a purpose referred to in subsection (6) by giving notice to end the tenancy effective on a date that must be (i) **not earlier than 4 months after the date the tenant receives the notice,** (ii) **the day before the day in the month**, or in the other period on which the tenancy is based, **that rent is payable** under the tenancy agreement, and (iii) if the tenancy agreement is a fixed term tenancy agreement, not earlier than the date specified as the end of the tenancy, **the day before the day in the month**, or in the other period on which the	*RTA* 49(6)

	Service timeline	Act
	tenancy is based, **that rent is payable** under the tenancy agreement, and **Tenant dispute of landlord's notice** (8) A tenant may dispute (b) a notice given under subsection (6) by making an application for dispute resolution **within 30 days** after the date the tenant receives the notice.	
Landlord's notice: landlord's use of property *Manufactured Home Park Tenancy Act* only	**Landlord to tenant** (2) A notice to end a tenancy under this section must end the tenancy effective on a date that (a) is **not earlier than 12 months after the date the notice is received**, and (b) is **the day before the day in the month**, or in the other period on which the tenancy is based, **that rent is payable** under the tenancy agreement. **Tenant dispute of landlord's notice** (4) A tenant may dispute a notice under this section by making an application for dispute resolution **within 15 days after the date the tenant receives the notice**.	*MHPTA* 42
Landlord's notice: tenant ceases to qualify for rental unit *RTA* only	**Landlord to tenant** Unless the tenant agrees in writing to an earlier date, a notice under this section must end the tenancy on a date that is (a) **not earlier than 2 months after the date the notice is received**, (b) **the day before the day in the month**, or in the other period on which the tenancy is based, **that rent is payable** under the tenancy agreement, and (c) if the tenancy agreement is a fixed term tenancy agreement, **not earlier than the date specified as the end of the tenancy**.	*RTA* 49.1(3)
Tenant may end tenancy	**Tenant to landlord** If a landlord gives a tenant notice to end a periodic	*RTA* 50(1)

	Service timeline	Act
early following notice under certain sections *RTA* only	tenancy under section 49 *[landlord's use of property]* or 49.1 *[landlord's notice: tenant ceased to qualify]*, the tenant may end the tenancy earlier by (a) **giving the landlord at least 10 days' written notice** to end the tenancy on **a date that is earlier than the effective date of the landlord's notice**, and (b) paying the landlord, on the date the tenant's notice is given, the proportion of rent due to the effective date of the tenant's notice, unless subsection (2) applies.	
Tenant may end tenancy early following notice under section 42 *MHPTA* only	**Tenant to landlord** If a landlord gives a tenant notice to end a tenancy under section 42 *[landlord's use of property]*, the tenant may end the tenancy early by (a) **giving the landlord at least 10 days' written notice** to end the tenancy on **a date that is earlier than the effective date on the landlord's notice**, and (b) paying the landlord, on the date the tenant's notice is given, the proportion of the rent due to the effective date of the tenant's notice, unless subsection (2) applies.	*MHPTA* 43(1)

Other

	Service timeline	Act
Timing and notice of rent increases	**Landlord to tenant** A landlord must give a tenant notice of a rent increase **at least 3 months before the effective date of the increase**.	*RTA* 42(2); *MHPTA* 35(2)
Starting proceedings: Application for dispute resolution *RTA* only	**Applicant for dispute resolution** Except for an application referred to in subsection (6) *[individual occupying a room in a residential hotel]*, a person who makes an application for dispute resolution must give a copy of the application to the other party **within 3 days of making it**, or within a different period	*RTA* 59(3)

	Service timeline	Act
	specified by the director.	
Starting proceedings: Application for dispute resolution *MHPTA* only	**Applicant for dispute resolution** A person who makes an application for dispute resolution must give a copy of the application to the other party **within 3 days of making it**, or within a different period specified by the director.	*MHPTA* 52(3)
Latest time application for dispute resolution can be made	**Applicant for dispute resolution** (1) If this Act does not state a time by which an application for dispute resolution must be made, it must be made **within 2 years of the date that the tenancy to which the matter relates ends or is assigned**. (2) Despite the *Limitation Act*, if an application for dispute resolution is not made within the 2 year period, a claim arising under this Act or the tenancy agreement in relation to the tenancy ceases to exist for all purposes except as provided in subsection (3). (3) If an application for dispute resolution is made by a landlord or tenant within the applicable limitation period under this Act, the other party to the dispute may make an application for dispute resolution in respect of a different dispute between the same parties **after the applicable limitation period but before the dispute resolution proceeding in respect of the first application is concluded**.	*RTA* 60; *MHPTA* 53
Time limit to apply for review *RTA* only	**Applicant for review of a decision or order** A party must make an application for review of a decision or order of the director within whichever of the following periods applies: (a) **within 2 days after a copy of the decision or order is received by the party**, if the decision or order relates to (i) the unreasonable withholding of consent, contrary to section 34 (2) *[assignment and*	*RTA* 80

	Service timeline	Act
	subletting], by a landlord to an assignment or subletting, (ii) a notice to end a tenancy under section 46 *[landlord's notice: non-payment of rent]*, or (iii) an order of possession under section 54 *[order of possession for the tenant]*, 55 *[order of possession for the landlord]*, 56 *[application for order ending tenancy early]* or 56.1 *[order of possession: tenancy frustrated]*; (b) **within 5 days after a copy of the decision or order is received by the party**, if the decision or order relates to (i) repairs or maintenance under section 32 *[obligations to repair and maintain]*, (ii) services or facilities under section 27 *[terminating or restricting services or facilities]*, or (iii) a notice to end a tenancy agreement other than under section 46 *[landlord's notice: non-payment of rent]*; (c) **within 15 days after a copy of the decision or order is received by the party**, for a matter not referred to in paragraph (a) or (b). Note: If more than one period applies, the application must be made within the shortest period that applies.	
Time limit to apply for review *MHPTA* only	**Applicant for review of a decision or order** A party must make an application for review of a decision or order of the director within whichever of the following periods applies: (a) **within 2 days after a copy of the decision or order is received by the party**, if the decision or order relates to (i) the withholding of consent, contrary to section 28 (2) *[assignment and subletting]*, by a landlord to an assignment or subletting, (ii) a notice to end a tenancy under section 39 *[landlord's notice: non-payment of rent]*, or	*MHPTA* 73

	Service timeline	Act
	(iii) an order of possession under section 47 *[order of possession for the tenant]*, 48 *[order of possession for the landlord]*, 49 *[application for order ending tenancy early]* or 49.1 *[order of possession: tenancy frustrated]*; (b) **within 5 days after a copy of the decision or order is received by the party**, if the decision or order relates to (i) repairs or maintenance under section 26 [obligations to repair and maintain], (ii) services or facilities under section 21 [terminating or restricting services or facilities], or (iii) a notice to end a tenancy agreement other than under section 39 [landlord's notice: non-payment of rent]; (c) **within 15 days after a copy of the decision or order is received by the party**, for a matter not referred to in paragraph (a) or (b). Note: If more than one period applies, the application must be made within the shortest period that applies.	

Dispute Resolution Rules of Procedure

	Timeline	Rule
Submit Application for Dispute Resolution	**Applicant for dispute resolution** Applicants who submit an online Application for Dispute Resolution and choose to pay the fee in person must complete payment **within three business days of submitting the application.**	Rule 2.4
Records that must be submitted with an Application for Dispute Resolution	**Applicant for dispute resolution** To the extent possible, **at the same time as the application is submitted to the Residential Tenancy Branch directly or through a Service BC office**, the applicant must submit: • a detailed calculation of any monetary claim being made; • a copy of the Notice to End Tenancy, if the applicant	Rule 2.5,

	Timeline	Rule
	seeks an order of possession or to cancel a Notice to End Tenancy; and • copies of all other documentary and digital evidence to be relied on at the hearing. When submitting applications online, the applicant must submit the required records to the Residential Tenancy Branch directly or through a Service BC office **within three business days of submitting the online Application for Dispute Resolution**. The only exception are for urgent applications or when the matter is subject to a time constraint, such as an application under *Residential Tenancy Act* section 38, 54 or 56 or an application under the *Manufactured Home Park Tenancy Act* section 47 or 49. For these applications, the applicant must submit all evidence with the Application for Dispute resolution or **within three business days of submitting an online Application for Dispute Resolution**.	
Filing an Application for Dispute Resolution to counter a claim	**Cross-applicant for dispute resolution** A party submitting a cross-application is considered the cross-applicant and **must apply as soon as possible and so that the respondent to the cross-application receives the records set out in Rule 3.1 [Records that must be served with the hearing package] not less than 14 days before the hearing and so that the service provisions in Rule 3.15 [Respondent's evidence provided in single package] can be met**.	Rule 2.11
Records that must be served with the hearing package	**Applicant for dispute resolution** The applicant must, **within 3 days of the hearing package being made available by the Residential Tenancy Branch**, serve each respondent with copies of all of the following: a) the Application for Dispute Resolution; b) the notice of dispute resolution proceeding letter provided to the applicant by the Residential Tenancy Branch;	Rule 3.1

	Timeline	Rule
	c) the dispute resolution proceeding information package provided by the Residential Tenancy Branch; and d) any other evidence submitted to the Residential Tenancy Branch directly or through a Service BC office with the Application for Dispute Resolution, in accordance with Rule 2.5 [Records that must be submitted with an Application for Dispute Resolution].	
Evidence for cross-application for dispute resolution	**Cross-applicant for dispute resolution** Evidence supporting a cross-application must: • **be submitted at the same time as the application is submitted, or within three business days of submitting an online Application for Dispute Resolution;** • be served on the other party at the same time as the hearing package for the cross-application is served; and **• be received by the other party and the Residential Tenancy Branch directly or through a Service BC office not less than 14 days before the hearing**.	Rule 3.3
Digital evidence	**Party to dispute resolution** If a party asks another party about their ability to gain access to a particular format, device or platform, the other party must reply **as soon as possible, and in any event so that all parties have 7 days with full access to the evidence and the party submitting and serving digital evidence can meet the requirements for filing and service established in Rules 3.1, 3.2, 3.14 and 3.15.**	Rule 3.10
Evidence not submitted at the time of Application for Dispute Resolution	**Applicant for dispute resolution** Documentary and digital evidence that is intended to be relied on at the hearing must be received by the respondent and the Residential Tenancy Branch directly or through a Service BC office **not less than 14 days before the hearing.** **In the event that a piece of evidence is not available when the applicant submits and serves their evidence, the arbitrator will apply Rule 3.17.**	Rule 3.14

	Timeline	Rule
Respondent's evidence provided in single package	**Respondent to dispute resolution** The respondent must ensure records and digital evidence that are intended to be relied on at the hearing are served on the applicant and submitted to the Residential Tenancy Branch **as soon as possible. In all events, the respondent's evidence must be received by the applicant and the Residential Tenancy Branch not less than 7 days before the hearing**. **In the event that evidence is not available when the respondent submits and serves their evidence, the arbitrator will apply Rule 3.17.**	Rule 3.15
Consideration of new and relevant evidence	**Party to dispute resolution** Evidence not provided to the other party and the Residential Tenancy Branch directly or through a Service BC office in accordance with the Act or Rules 3.1, 3.2, 3.10, 3.14 and 3.15 may or may not be considered depending on whether the party can show to the arbitrator that it is new and relevant evidence and that it was not available at the time that their application was made or when they served and submitted their evidence. The arbitrator has the discretion to determine whether to accept documentary or digital evidence that does not meet the criteria established above provided that the acceptance of late evidence does not unreasonably prejudice one party or result in a breach of the principles of natural justice. Both parties must have the opportunity to be heard on the question of accepting late evidence. If the arbitrator decides to accept the evidence, the other party will be given an opportunity to review the evidence. The arbitrator must apply Rule 7.8 [Adjournment after the dispute resolution hearing begins] and Rule 7.9 [Criteria for granting an adjournment].	Rule 3.17
Time limits	**Applicant for dispute resolution**	Rule 4.3

	Timeline	Rule
for amending an application	Amended applications and supporting evidence should be submitted to the Residential Tenancy Branch directly or through a Service BC office **as soon as possible and in any event early enough to allow the applicant to comply with Rule 4.6.**	
Serving an Amendment to an Application for Dispute Resolution	**Applicant for dispute resolution** **As soon as possible**, copies of the Amendment to an Application for Dispute Resolution and supporting evidence must be produced and served upon each respondent by the applicant in a manner required by the applicable Act and these Rules of Procedure. The applicant must be prepared to demonstrate to the satisfaction of the arbitrator that each respondent was served with the Amendment to an Application for Dispute Resolution and supporting evidence as required by the Act and these Rules of Procedure. **In any event, a copy of the amended application and supporting evidence must be received by the respondent(s) not less than 14 days before the hearing.** See also Rule 3 [Serving the application and submitting and exchanging evidence].	Rule 4.6
Rescheduling of a dispute resolution hearing by agreement not less than 3 days before the hearing	**Party to dispute resolution** The Residential Tenancy Branch will reschedule a dispute resolution hearing if signed written consent from both the applicant and the respondent is received by the Residential Tenancy Branch directly or through a Service BC office **not less than 3 days before the scheduled date for the dispute resolution hearing.**	Rule 5.1
A party may request that the hearing be held in a specific format	**Party to dispute resolution** A party may submit a request that a hearing be held in a format other than telephone conference call. **An applicant must submit such a request in writing to the Residential Tenancy Branch directly or through a Service BC office with supporting documentation within three days of the notice of**	Rule 6.4

	Timeline	Rule
	hearing being made available by the Residential Tenancy Branch. A respondent must submit such a request in writing with supporting documentation within three days of receiving the notice of hearing or being deemed to have received the notice of hearing.	
Official transcript	**Party to dispute resolution** A party requesting an official transcript by an accredited Court Reporter must make a written request stating the reasons for the request to the other party and to the Residential Tenancy Branch directly or through a Service BC office **not less than 7 days before the hearing**.	Rule 6.12
Determining that another person be added as a party	**Newly added party to dispute resolution** The newly added party must, **as soon as possible, serve their evidence on the original applicant(s) and respondent(s) and submit it to the Residential Tenancy Branch directly or through a Service BC office, and in any event not less than 7 days before the reconvened hearing.**	Rule 7.13
Timelines for serving evidence for an Additional Rent Increase for Capital Expenditures application	**Applicant for Dispute Resolution** The applicant must provide any documentary or digital evidence they intend to rely on at the hearing to the respondent and Residential Tenancy Branch **not less than 30 days before the hearing.** **Respondent for Dispute Resolution** The respondent must provide any documentary or digital evidence they intend to rely on at the hearing to the applicant and Residential Tenancy Branch **not less than 15 days before the hearing.**	Rules 11.2 and 11.3